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Attorneys for Plaintiffs

[Additional counsel listed on signature page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

BIKASH MOHAN MOHANTY, On Behalf of )  
Himself and All Others Similarly Situated, )

Plaintiff, )

vs. )

BIGBAND NETWORKS, INC., AMIR )  
BASSAN-ESKENAZI, RAN OZ, FREDERICK )  
BALL, GAL ISRAELY, DEAN GILBERT, )  
KEN GOLDMAN, LLOYD CARNEY, BRUCE )  
SACHS, ROBERT SACHS, GEOFFREY )  
YANG, MORGAN STANLEY & CO., INC., )  
MERRILL LYNCH, PIERCE, FENNER & )  
SMITH, INC., JEFFERIES & CO., INC., )  
COWEN AND CO., INC., AND )  
THINKEQUITY PARTNERS, LLC )

Defendants. )

Case No. 3:07-CV-05101-SBA

CLASS ACTION

CERTIFICATION OF REED R.  
KATHREIN PURSUANT TO LOCAL  
RULE 3-7(d)

DATE: February 5, 2008

TIME: 1:00 P.M.

DEPT: Courtroom 3, 3rd Floor

DENNIS KOESTERER, On Behalf of Himself and  
All Others Similarly Situated,

Plaintiff,

v.

BIGBAND NETWORKS, INC., AMIR BASSAN-  
ESKENAZI, FREDERICK A. BALL, RAN OZ,  
LLOYD CARNEY, DEAN GILBERT, KEN  
GOLDMAN, GAL ISRAELY, BRUCH SACHS,  
ROBERT SACHS, and GEOFFREY YANG

Defendants.

Case No. 3:07-CV-05168-MMC

ABRENA WINSTON, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

BIGBAND NETWORKS, INC., AMIR  
BASSAN-ESKENAZI, RAN OZ, FREDERICK  
BALL, GAL ISRAELY, DEAN GILBERT, KEN  
GOLDMAN, LLOYD CARNEY, BRUCE  
SACHS, ROBERT SACHS, GEOFFREY  
YANG, MERRILL LYNCH, PIERCE, FENNER  
& SMITH, INC., MORGAN STANLEY & CO.,  
INC., COWEN AND CO., JEFFERIES & CO.,  
and THINKEQUITY PARTNERS, LLC

Defendants.

Case No. 3:07-CV-05327-JSW

DONALD SMITH, On Behalf of Himself and All  
Others Similarly Situated,

Plaintiff,

v.

BIGBAND NETWORKS, INC., AMIR  
BASSAN-ESKENAZI, and FREDERICK A.  
BALL

Defendants.

Case No. 3:07-CV-05361-SI

WAYNE LUZON, On Behalf of Himself and All  
Others Similarly Situated,  
  
Plaintiff,  
  
v.  
  
BIGBAND NETWORKS, INC., AMIR BASSAN-  
ESKENAZI, RAN OZ, FREDERICK BALL, GAL  
ISRAELY, DEAN GILBERT, KEN GOLDMAN,  
LLOYD CARNEY, BRUCE SACHS, ROBERT  
SACHS, GEOFFREY YANG, MORGAN  
STANLEY & CO., INC., MERRILL LYNCH,  
PIERCE, FENNER & SMITH, INC., JEFFERIES &  
CO., INC., COWEN AND CO., INC., and  
THINKEQUITY PARTNERS, LLC  
  
Defendants.

Case No. 3:07-CV-05637-WHA

DEBRA L. BERNSTEIN, Individually and On  
Behalf of All Others Similarly Situated,  
  
Plaintiff,  
  
v.  
  
BIGBAND NETWORKS, INC., AMIR BASSAN-  
ESKENAZI, RAN OZ, FREDERICK A. BALL,  
GAL ISRAELY, DEAN GILBERT, KENNETH A.  
GOLDMAN, LLOYD CARNEY, BRUCE I.  
SACHS, ROBERT J. SACHS, GEOFFREY Y.  
YANG, MORGAN STANLEY & CO.,  
INCORPORATED, JEFFERIES & COMPANY,  
INC., MERRILL LYNCH, PIERCE FENNER &  
SMITH INCORPORATED, COWEN AND  
COMPANY, LLC and THINKEQUITY  
PARTNERS LLC,  
  
Defendants.

Case No. 3:07-CV-05825-MHP

EUGENE HAMMER, On Behalf of Himself and  
All Others Similarly Situated,  
  
Plaintiff,  
  
v.  
  
BIGBAND NETWORKS, INC., AMIR BASSAN-  
ESKENAZI, FREDERICK A. BALL, RAN OZ,  
LLOYD CARNEY, DEAN GILBERT, KEN  
GOLDMAN, GAL ISRAELY, BRUCE SACHS,  
ROBERT SACHS, and GEOFFREY YANG  
  
Defendants.

Case No. 3:07-CV-05825-MHP

1 I, Reed R. Kathrein, make this declaration pursuant to Local Rule 3-7(d) of the United  
2 States District Court of the Northern District of California.

3 I am seeking to serve as class counsel in this action, which is governed by the Private  
4 Securities Litigation Reform Act of 1995, Pub. L. No. 104-67, 109 Stat. 737 (1995).

5 I do not directly own or otherwise have a beneficial interest in securities that are the subject  
6 of the action.

7 I declare, under penalty of perjury of the laws of the United States, that the foregoing is true  
8 and correct to the best of my knowledge. If called as a witness, I could and would competently  
9 testify thereto.

10 Executed this 22<sup>nd</sup> day of January, 2008 at Berkeley, California.

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12 By: /s/ Reed R. Kathrein  
13 REED R. KATHREIN  
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**CERTIFICATE OF SERVICE**

I hereby certify that on January 22, 2008 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses registered, as denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

/s/ Reed R. Kathrein  
REED R. KATHREIN

## Mailing Information for a Case 4:07-cv-05101-SBA

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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- **Lewis Stephen Kahn**  
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### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

**James P. Cusick**  
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